

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

944A



**FROM:** TLMA/Transportation Department

**SUBMITTAL DATE:**  
June 20, 2005

**SUBJECT:** Approval of Resolution 2005-291

Granting the Transportation Director authority to convey drainage easements to Flood Control

**RECOMMENDED MOTION:** The Board of Supervisors adopt Resolution 2005-291 authorizing the Director of the Transportation Department to accept drainage facility easements and rights-of-way from private parties and subsequently convey said drainage facility easements and rights-of-way to the Riverside County Flood Control and Water Conservation District.

**BACKGROUND:** The Riverside County Transportation Department (Department) and the Riverside County Flood Control and Water Conservation District (District) share the principal responsibility for the review, approval, inspection and acceptance of privately constructed flood control and drainage improvements associated with new development. The terms and conditions governing the design, construction, inspection and acceptance of these privately-constructed drainage facilities, including the designation of the necessary drainage facility easements and rights-of-way, are typically stipulated in a Cooperative Agreement (Agreement) that is executed by a developer and approved by the County Board of Supervisors and District Board of Supervisors.

Departmental Concurrence

(Continued on Page 2)

GAJ:MSB:sa

  
George A. Johnson  
Director of Transportation

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

<b>SOURCE OF FUNDS:</b> N/A	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**      **APPROVE**

**County Executive Office Signature**



- Dept't Recomm.:  Consent     Policy
- Per Exec. Ofc.:  Consent     Policy

**Prev. Agn. Ref.:**

**District:** All

**Agenda Number:**

3.52

BOARD OF SUPERVISORS

FORM 11: Approval of Resolution 2005-291

Granting the Transportation Director Authority to Convey Drainage  
Easements to Flood Control

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**BACKGROUND:** (Continued)

Once these critically important drainage facilities are constructed, certain right-of-way transactions must be accomplished before the facilities are accepted into the public domain for operation and maintenance. The necessary right of way transactions include the acceptance by the Department of developer furnished drainage easements and/or rights-of-way and their subsequent transfer to the District. Currently, these routine right-of-way transactions require formal approval by the County Board of Supervisors.

Granting the Transportation Department Director the authority to accept drainage facility easements and rights-of-way to the District will prove less costly and facilitate the timely acceptance of critically important flood control and drainage improvements that are necessary to safeguard public health and safety.

The District and the Department have discussed this issue and are in agreement with these changes. County Counsel has also reviewed the proposed process and has agreed that the current statutes allows for this change in procedures.

RESOLUTION NO. 2005-291CONCERNING THE ACCEPTANCE AND RECONVEYANCE OF DRAINAGE FACILITY  
EASEMENTS ASSOCIATED WITH PRIVATELY CONSTRUCTED DRAINAGE  
IMPROVEMENTS

WHEREAS, the Riverside County Transportation Department (Department) in conjunction with the Riverside County Flood Control and Water Conservation District (District) share the principal responsibility for the review, approval, inspection and acceptance of privately constructed flood control and drainage improvements associated with new development; and

WHEREAS, the terms and conditions governing the design, construction, inspection and acceptance of these privately constructed drainage facilities, including the designation of all necessary drainage facility easements and rights of way, are typically set forth in a cooperative agreement (Cooperative Agreement) that is executed by a developer and approved by the Board of Supervisors of County and District; and

WHEREAS, in the course of transferring this critically important infrastructure into the public domain for operation and maintenance, certain right of way transactions must be routinely accomplished, including the acceptance of various irrevocable offers of dedication by the Department and the subsequent transfer of drainage facility easements and rights of way to the District; and

WHEREAS, modifying certain administrative procedures pertaining to the Department's acceptance and subsequent transfer of drainage facility easements and rights of way to the District will facilitate the timely acceptance of critically important flood control and drainage improvements that are necessary to safeguard public health and safety; and

WHEREAS, it is in the public interest that these critically important flood control and drainage improvements are accepted for public operation and maintenance in a timely manner.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Riverside:

1. The preceding Recitals are true and correct.
2. The Director of the Department, or his/her designee, is hereby authorized, pursuant to Government Code Section 27281, to accept on behalf of the District any offers of dedication made pursuant to a Cooperative Agreement previously approved by this Board of Supervisors and the Board of Supervisors of District and, subsequently, effect the transfer of all necessary drainage facility easements and rights of way to the District as set forth in the Cooperative Agreement.

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FORM APPROVED  
COUNTY COUNSEL

MAY 31 2005

BY   
ASSISTANT COUNTY COUNSEL